

**STATEMENT OF MATHEW ZIPOLI**  
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Let me start off by thanking everyone present for providing us time to present you with our views on Security Deficiencies plaguing our nation's Nuclear facilities, specifically Lawrence Livermore National Laboratories (LLNL), and how these deficiencies can be remedied. As all of us are aware, recent events have reshaped our attitudes towards homeland security. The question is no longer; "do terrorists have the capability of deploying a weapon of mass-destruction against the United States?" The question is "when, and how they are going to accomplish this task?"

The Department of Energy has recognized and acknowledged that the most probable and devastating physical threat they must be prepared to neutralize is a terrorist assault whose intent is to accomplish industrial, toxicological, and/or radiological sabotage. I will now answer a question that is probably on the minds of everyone present, and is the reason many of you are here:

Does Livermore Labs have the capability of defending itself from a terrorist assault?

In my view, and under current conditions, NO. Special Response Team (SRT) Officers, within the Department of Energy, have an extremely unique, yet highly critical task they are assigned to accomplish. Their primary mission is to prevent the theft of Weapons Grade Special Nuclear Material, and to recapture and recover material that has found its way in the hands of unscrupulous individuals and/or terrorist organizations intent on, and capable of destroying our way of life. The Department of Energy has already recognized what will be done with this material, once it is in the possession of an adversarial force.

1. They will attempt to create a improvised nuclear device (IND) or

2. Accomplish radiological sabotage i.e.: a dirty bomb There is a high probability that Officers will encounter radiological, toxicological, and biological hazards during a recapture and recovery operation. For obvious reasons, the Officers tasked to overcome such obstacles, and thwart such an ominous threat, should be afforded the proper equipment, training and safeguards to ensure success. Failure is not a luxury this nation could afford. Failure would result in the greatest disaster this nation, and the world, would have to face. Officers are not currently being provided with this proper protection, rendering their capabilities useless.

My presentation will focus on issues regarding Health and Safety training, equipment, and safeguards, or lack they're of, and how this affects the Officers ability to deter terrorism. Special Nuclear Material is stored in areas that allow for proper contamination monitoring. When material is removed from these areas; it is done so by highly trained handlers, that meticulously follow mandated procedures which ensure that no contamination is released into the surrounding environment.

It is apparent, that if terrorists were to steal Special Nuclear Material, the environment would surely become radioactive. If Nuclear Material is removed from its properly monitored environment, you have no choice but to assume that all areas entered, that do not have monitoring capability, are now Radioactive Contaminated Areas. Under DOE regulations, only workers certified as radiological two (II) workers, could enter areas, which can result in excess radiation exposures. During emergency situations, individuals that do not meet such standards may be allowed to enter under the following conditions:

A certified health and safety technician must inform individuals as to what hazards they may be exposed

to, and to what biological health problems may result from an acute radiation exposure.

The decision to enter such an area is strictly voluntary.

Officers at LLNL are not certified to the level of Rad Worker Two. This creates many problems. During a response to a terrorist threat, it is highly unlikely terrorists will agree to a time-out while we are being briefed about health risks. Furthermore, during off-hours there are no permanently assigned health technicians working within the Plutonium facility. Lastly, do you really want to depend on whether you can count on individuals to volunteer when you're dealing with terrorists? Custodians working within the Plutonium facility are afforded this training due to the hazards associated with mopping and emptying trashcans.

The respirators issued to Officers, to protect them from radiation exposure are not being properly maintained. In fact, I can tell you with certainty, that the respirators issued to officers have never been maintained since the inception of the Special Response Team in 1998. Almost every aspect of the respiratory maintenance program is currently being ignored. Not a single canister has been replaced on any of the respirators. Officers at LLNL are expected to enter hazardous breathing environments without the assurance of a properly serviced respirator. Inhalation is recognized as the most common means to receive internal doses of radiation. In the event of an emergency, Officers at LLNL will not enter areas that have respiratory hazards, regardless of terrorist activity, due to this blatant violation of health and safety standards. No entity should expect these Officers to do so while this practice continues.

Several forms of plutonium are stored within Oxygen free containment vessels to ensure their stability. During a violent terrorist attempt to steal plutonium the following may result when the integrity of these vessels becomes compromised:

The areas that contain such vessels, will become Oxygen Deficient resulting in suffocation or;

The areas that contain such vessels will have a decreased level of Oxygen resulting in loss of consciousness or disorientation.

In order to enter an Oxygen Deficient Environment, individuals must do so with the application of a Self-Contained Breathing Apparatus (SCBA). This has already been established as equipment that security officers shall be trained on how to use. LLNL has recently begun to train officers on the application of SCBA gear. The security force is not in possession of its own SCBA equipment, and the equipment that is made available to them, is not located in areas that make them readily available to Officers involved in a emergency response. This discrepancy greatly hinders an Officer, and adds unnecessary delays to the response time. This is the result of the Security Departments refusal to group Special Response Officers into a stand-by reactionary force they were intended to be in.

All of our nation's heroes who are employed as first responders to emergencies, such as sworn Law-Enforcement Officers and Fire Fighters, are afforded a comprehensive disability package. This benefit provides financial and medical security to individuals and their families, who become disabled or deceased, while performing actions vital to the local community and this nations safety and well-being. The reason these benefits are afforded to these individuals is evident. You could not expect people to knowingly place themselves in imminent jeopardy unless they have been provided with the peace of mind that comes with a first responder disability package.

Officers at LLNL are not provided with a first responder package. Security Police Officers, throughout the entire Department of Energy, are denied this crucial benefit. LLNL refuses to even recognize their

Officers as first responders. This is made even more evident by their refusal to furnish the basics such as C.P.R. training.

DOE Security Officers are expected to respond under some of the most dangerous and toxic environments known to man. If that is not enough, the Department of Energy and the Nuclear Regulatory Commission have documented the following threats as ones in which Security Police Officers will encounter:

Well-trained (including military training and skills) and dedicated individuals, inside assistance which may include a knowledgeable individual who attempts to participate in a passive role, an active role, or both, Suitable weapons, up to and including hand-held automatic weapons, equipped with silencers and having effective long-range accuracy, Hand-carried equipment, including incapacitating agents and explosives as use as tools of entry or for otherwise destroying reactor, facility, transporter, or container integrity or features of the safeguards system, and A four-wheel drive land vehicle used for transporting personnel and their hand-carried equipment to the proximity of vital areas, and a four-wheel drive land vehicle bomb, The ability to operate as two or more teams.

Officers facing such a perilous situation face a high probability of death or sustaining permanent disabilities. It has been documented that during every security exercise conducted throughout the Department of Energy, including LLNL, the death toll amongst responding Officers is extremely high. This fact, compounded by the denial of a first responder disability package, severely impedes on an Officers decision to stop a terrorist threat.

The Department of Energy has put in place physical standards for all levels of Officers that must be met once a year, or they face termination. This standard is the ability to run a mile in eight and one half minutes. An early retirement system is not in place for DOE Security Police Officers. They are expected to maintain this standard until the age of retirement. This standard is absurd. Very few people can maintain this standard due to age and job related stressors. There is not a single Law-Enforcement agency within the United States that enforces a continuous standard upon their Officers for obvious reasons. Every Law-Enforcement Agency within the United States offers its employees an early retirement package due to the physically demanding rigors of their job.

I do not blame the contractors for not providing officers these benefits. Contractors are there to make a profit. They have a bottom-line to meet, and an obligation to their shareholders. Early retirement packages and first responder disability benefits cost contractors money. For this reason alone, you can not expect them to fund these benefits at their expense. Because of this factor, not a single Contractor or Corporation provides Security Officers with necessary early retirement and first responder disability benefits. Without these benefits, it is illogical to expect any officer to risk his life, employment, and family in an attempt to combat terrorism.

We are eager to help bring resolution to these problems, and benefit our nation by providing it the best defense against domestic terrorism. I look forward to any and all questions that you may have for my colleagues and myself.

Mathew Zipoli is a four year veteran of the Air Force who entered the service in 1994 and finished in 1998. As a security specialist, he was decorated with several medals, including two Air Force Achievement Medals among others, and was a member of the elite service team (SWAT). He was rated as an excellent performer in all his military assignments. He was hired by LLNL in the security division in 1999 and was elected vice president of the union in 2000. Officer Zipoli was also terminated by the Lab after raising serious security deficiencies to the Office of Inspector General.